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ABSTRACT

Designed for middle school through high school students, this unit contains eight lesson plans that focus on Oklahoma state law. The state lessons correspond to lessons in the volume, "Antidote: Civic Responsibility. Drug Avoidance Lessons for Middle School & High School Students." Developed to be presented by educators, law student, or attorneys, the state lessons are interactive and sequential, although individual lessons can stand alone. The document includes legal information about driving while intoxicated, drug offenses, sentencing, and drug and alcohol statutes written specifically to combat juvenile abuse. (RJC)

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Antidote: Civic Responsibility

Oklahoma Law

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Lesson 1

1. Has Aimee violated any state laws? Have her parents?

Aimee has violated no Oklahoma law as there is no law which makes a minor liable for an unintentionally dangerous act toward another minor.

Aimee and Carrie's parents, however, might be violating Oklahoma law. Okla Stat. Ann. tit. 10 § 1144 (West 1994 Cum. Supp.) makes it a misdemeanor for any person to knowingly or willfully omit the performance of any duty, which act or omission causes or tends to cause, aid abet or encourage any minor to be delinquent, in need of supervision or neglected. A child is deprived and neglected, among other times, when s/he does not have the proper parental care or guardianship. Id. at §1101 (4)(b). Here, depending on how often and for how long Aimee and Carrie were left unsupervised, the parents could be in violation of Oklahoma law.

2. Does state law allow 17 year old Tyrell to drink a glass of wine with his dinner without his parents' consent?

Possibly. Okla. Stat. Ann. tit. 21 § 1214 (West 1983) states: "Its shall be unlawful for any person under the age of 21 years to be in the possession of any intoxicating beverage containing more than three and two-tenths percent (3.2%) alcohol by weight while such person is upon any public street, road, or highway or in any public building or place." Homes generally do not constitute public places and thus may fall within the narrow exception.

3. Is Maria violating any law when she tells her roommates whom to call to buy marijuana?

Yes. Possession of marijuana is unlawful. as it is a controlled substance. Okla. Stat. Ann tit. 63 § 2-402(A)(1) (West. 1991). Maria's assistance to her roommates by providing them with critical information makes her part of the conspiracy and in violation of the law. Okla. Stat. Ann. tit. 11 § 421 (West 1983) makes it unlawful for two or more persons to conspire to commit any crime. Possessing marijuana is a crime and thus, assisting someone acquire it is a crime.

4. Have Adam and Alex broken any laws other than those against drinking and fighting?

Since Joe died as a result of a fight with Adam and Alex, it is likely that the twins will be charged with his death. There are several statutes under which they could be charged. Manslaughter in the first degree occurs when a homicide is perpetrated without a design to effect death by a person while engaged in the commission of a misdemeanor. Okla. Stat. Ann. tit. 21 § 711 (West 1991). Since the twins were unlawfully fighting they could be charged under this section. Second

degree manslaughter is committed when a killing occurs but it is not chargeable under a higher penalty section. Id. at § 716. A lesser crime for which the twins could be charged is battery which is defined as any willful and unlawful use of force or violence upon the person of another. Okla. Stat. Ann. tit. 21 § 641 (1983). The actual charge will depend on the circumstances, the evidence and the discretion of the prosecutor.

5. **Has Jose violated any state law even though he is not drinking? Has Carlos or TJ violated any state law?**

Jose may be in violation of Oklahoma law. Okla. Stat. Ann. tit. 37 § 537 (A)(7) (West 1991) makes it unlawful for anyone to "knowingly transport in any vehicle upon a public highway, street or alley any alcoholic beverage except in the original container which shall not have been opened and the seal upon which shall not have been broken nd from which the original cap or cork shall not have been removed, unless the opened container be in the rear trunk or rear compartment, . . . " Thus, Jose, by allowing his brother and friend to drink in his car, could be in violation of the law. Additionally, he could be said to be in constructive possession of the alcohol since it was in his vehicle. He would then be in violation of the law discussed in #2 above.

TJ is in violation of Oklahoma law. He is in violation of the law discussed in #2 above since he is in possession of alcohol in a public place. Additionally, drinking in public is a violation of Okla. Stat. Ann. tit. 37 § 537(A)(8) (West 1991). Carlos is also in violation of this law. Carlos is further in violation of § 537(A)(1) which prohibits one from "knowingly selling, delivering or furnishing alcoholic beverages to any person under 21" if he provided TJ with any of the alcohol he is drinking.

6. **Is Dr. Melrose violating any state or federal law by prescribing pain killers without conducting an examination or determining need?**

Dr. Melrose is violating not only state law, but federal law too. Under 21 U.S.C.A. § 829, a physician must have a legitimate medical purpose for dispensing drugs, and the act of dispensing or prescribing drugs should be within the usual course of professional conduct. U.S. v. Varma, 691 F.2d 460 (1982), U.S. v. Jamieson, 605 F. Supp. 119 (1985).

Dr. Melrose's patients, if they do not provide him with a bona fide reason for needing the painkillers, may also be breaking the law. 21 U.S.C.A. § 843 prohibits knowingly or unknowingly acquiring possession of a controlled substance by misrepresentation, fraud, forgery, deception or subterfuge.

Dr. Melrose is violating Oklahoma law which authorizes licensed physicians to dispense dangerous drugs only patients

and only for the expressed purposes of serving the best interests and promoting the welfare of his patients. Okla. Stat. Ann. tit. 59 §355.1 (West 1994 Cum. Supp.) Giving drugs to patients without valid medical reasons in violation of this section.

7. Is Danielle violating any law by taking only one or two pills from someone else's prescription?

Danielle is violating several state and federal laws. Since she is in effect dispensing prescription drugs to herself, she is violating 21 U.S.C.A. § 829, which prohibits dispensing any controlled substance which is a prescription drug without the written prescription of a practitioner. She is also violating 21 U.S.C.A. § 843, which prohibits knowingly or unknowingly acquiring possession of a controlled substance by misrepresentation, fraud, forgery, deception or subterfuge and 21 U.S.C.A. § 844 which prohibits simple possession of a controlled substance unless such a substance was obtained by a prescription. The seriousness of her crime under federal drug control laws will depend on the type of drug which she is taking and how the drugs are used.

Danielle is further violating Oklahoma law. "It is unlawful for any person to knowingly or intentionally possess a controlled dangerous substance unless such substance was obtained directly, or pursuant to a valid prescription or order from a practitioner, while acting in the course of his professional practice, or except as otherwise authorized by this act." Okla. Stat. Ann. tit. 63 § 2-402 (A)(1) (West 1991). Danielle's taking pills from the prescriptions of others is in clear violation of this law. Danielle could also be charged with theft of a controlled substance in violation of Okla. Stat. Ann. tit. 63 § 2-403 (West 1991).

8. Is Renee breaking any law even though she is not selling drugs herself?

Even thought she is not selling drugs directly, Renee is violating several state and federal laws. She is violating 21 U.S.C.A. § 841 prohibiting possession of a controlled substance with the intent to manufacture, distribute or dispense drugs and 21 U.S.C.A. § 844 prohibiting simple possession of a controlled substance.

Renee could receive an increased sentence in accordance with the federal sentencing guidelines as a result of her using children in her scheme. Under 21 U.S.C.A. § 859, the distribution of a controlled substance to a person under 21 year of age is subject to increased penalties. The United States expressed its concern with the importance of protecting children from drug trafficking under 21 U.S.C.A. § 860, which imposes heavier prison sentences in cases involving the distribution or manufacture of controlled substances in the proximity of schools, playgrounds or youth centers. 18

U.S.C.A. App. 4 § 3B1.3 also provides for increased sentences in cases of abuse of one's position of trust, as in a drug trafficking defendant involving her daughter in the drug trade. U.S. v. Ledesma, 979 F.2d 816 (1992).

Renee is also violating Oklahoma law. "It is unlawful for any person to knowingly or intentionally possess a controlled dangerous substance unless such substance was obtained directly, or pursuant to a valid prescription or order from a practitioner, while acting in the course of his professional practice, or except as otherwise authorized by this act." Okla. Stat. Ann. tit. 63 § 2-402 (A)(1) (West 1991). Renee's possession and distribution of drugs in violation of this section. Further, Renee is violating Oklahoma law by involving her 5 year old daughter Mary in her activities and by using a park as her distribution location. Section 2-401 of title 63 makes it illegal for an individual to distribute, dispense, or solicit the use of or use the services of a person under 18 to distribute or dispense a controlled dangerous substance or possess with intent to manufacture, distribute or dispense a controlled dangerous substance. Similarly, § 856.1 of title 21 prohibits causing, aiding, abetting or encouraging a minor to participate in certain drug related crimes. Finally, Renee's activities may be in violation of Okla. Stat. Ann. tit. 63 § 2-401(A) which makes it unlawful for a person to distribute, dispense or possess controlled dangerous substances or imitation substances with intent to distribute them on school property or within 1000 feet of school property or while on any school bus. Renee's distribution location of a park, if attached to a school, would add an additional charge to her indictment.

9. Did Jim violate any law other than those regarding controlled substances?

Their heroin use is a felony under federal drug-control statutes. 21 U.S.C.A. § 841 prohibits possession of a controlled substance with the intent to manufacture, distribute or dispense such substance. 21 U.S.C.A. §844 prohibits simple possession of a controlled substance.

Jim transmitted the HIV virus to Andre through the shared needle. Oklahoma makes it unlawful for any person knowing that s/he has AIDS or is an HIV carrier to, with intent to infect another, engage in conduct reasonably likely to result in the transfer of one's own blood, bodily fluids containing visible blood . . . and the other person did not consent to the transfer of or the person consented, but at the time of the consent the person had not been informed the person transferring blood, etc. had AIDS or was a carrier of HIV. Okla. Stat. Ann. tit. 21 §1190 (West 1994 Cum. Supp.) Violation of this law is a felony. Note that not all states have dealt with this issue. Under the Model Penal Code, however, Jim's behavior could constitute simple or aggravated assault or the attempt thereof, or reckless endangerment;

under certain extreme situations, it could be construed as murder. See Gene Schultz, AIDS: Public Health and the Criminal Law, 7 St. Louis U. Pub. L. Rev. 65 (1988); Roger N. Braden, AIDS: Dealing With the Plague, 19 N. Ky. L. Rev. 277 (1992). In some cases, it has been suggested that the HIV virus provides a deadly weapon. Cf. Brock v. State, 555 So.2d 285 (Ala. Crim. App. 1989).

10. Has the bartender or owner of Bulldog's Bar & Grill violated any law?

Yes. It is unlawful to "sell, deliver or knowingly furnish alcoholic beverages to any intoxicated person. . ." Okla. Stat. Ann. tit. 37 § 537(A)(2) (West 1991). If Su was intoxicated and served alcohol, then the bartender and owner will be held accountable. the Oklahoma Constitution further makes it unlawful for a licensee to sell or furnish alcohol to an person who is intoxicated. OK Const. art. XXVIII, §5.

Lesson 2

CRIMINAL JUSTICE STATISTICS: DRUG AND ALCOHOL RELATED OFFENSES UNIFORM CRIME REPORT DATA OF 1990--CRIME IN THE UNITED STATES

According to the Uniform Crime Report of 1990, 68% of the drug abuse violators were arrested for possession of heroin, cocaine or a narcotic derivative. A little over 31% of drug arrests were for the sale and manufacture of drugs.

Out of the 14,195,100 total number of arrests that occurred in 1990, drug abuse violations accounted for 1,089,500, driving under the influence comprised 1,810,800, and liquor law violations represented 714,700 of the total.

1981-1990 Ten Year Trend

Arrests for Drug Abuse Violations

In 1981, the total number of arrests for drug abusers under the age of 18 was 69,383. On the other hand in 1990, the total number was 50,435. This represents a 27.3% **decrease** in the number of arrests for persons under the age of 18. However, the number of arrests for persons over the age of 18 represent an 89.9% **increase** from 332,733 in 1981 to 631,932 in 1990.

Liquor Law Violations

For persons over the age of 18, the number of arrests for liquor law violations have dramatically **increased** to 61% from 218,079 in 1981 to 351,064 in 1990. However, the number of arrests for persons under the age of 18 has decreased to less than 0.4%.

♦ ♦ ♦

Criminal Victimization in the United States, 1990 A National Crime Victimization Survey Report, February, 1992

Percent Distribution of Victimizations by Perceived Drug or Alcohol Use by Offender:

- Of the **130,260** total rapes reported by victims to police, **49.8%** were believed to be committed by someone under the influence of drugs or alcohol.
- Of a total of **1,149,710** reported robberies, **24.2%** involved an offender under the influence of drugs or alcohol.
- Of **1,600,760** aggravated assaults committed **40%** were committed by people under the influence of drugs.
- Of the **3,128,130** simple assaults reported, **32.9%** were perpetrated by someone perceived to be under the influence of drugs or alcohol.

Lesson 4

FEDERAL SCHEDULE (answers to handout 3)

DRUG	SCHEDULE
heroin	schedule 1
beer	not a scheduled drug
vodka	not a scheduled drug
nitrate	not a scheduled drug
amphetamines	schedule 3
caffeine	not a scheduled drug
marijuana	schedule 1
crack	schedule 2
scotch	not a scheduled drug
MSG	not a scheduled drug
cocaine	schedule 2
glue	not a scheduled drug

FEDERAL PENALTIES BY SCHEDULE FOR POSSESSION

SCHEDULE	MAX. PRISON	MAX. FINE	MAX. TOTAL
schedule 1	15 years	$25,000	15yrs + $25,000
schedule 2	15 years	$25,000	15yrs + $25,000
schedule 3	5 years	$15,000	5yrs + $15,000
schedule 4	3 years	$10,000	3yrs + $10,000
schedule 5	1 year	$ 5,000	1yr + $ 5,000
unscheduled drug	n/a	n/a	n/a

The penalty doubles if the defendant has a previous conviction for a schedule law violation.

In order for a drug to be a narcotic, it must be a derivative of opium. All narcotics contain opium or opium derivatives, ie: heroin.

Malt beverages such as beer are not included in the scheduling process. They are controlled by liquor laws.

Information from 21 U.S.C.A. § 841 (West 1981).

States	Heroin	Cocaine	Crack	Marijuana	Amphetamine
Alabama	sch 1	sch 2	sch 2	sch 1	sch 3
Alaska	sch 1A	sch 2A	sch 2A	sch 3A	sch 4A
Arizona	sch 1	sch 2	sch 2	sch 1	sch 2
Arkansas	sch 1	sch 2	sch 2	sch 1	not listed
California	sch 1	sch 2	sch 2	sch 1	sch 2
Colorado	sch 1	sch 2	sch 2	sch 1	sch 2
Connecticut	sch 1	sch 2	sch 2	sch 1	sch 3
Delaware	sch 1	sch 2	sch 2	sch 1	sch 2
D.C.	sch 1	sch 2	sch 2	sch 2	sch 2
Florida	sch 1	sch 2	sch 2	sch 1	sch 2
Georgia	sch 1	sch 2	sch 2	sch 1[1]	sch 2
Hawaii	sch 1	sch 2	sch 2	sch 1	sch 2
Idaho	sch 1	sch 2	sch 2	sch 1	sch 2
Illinois	sch 1	sch 2	sch 2	listed under its act: the Cannabis Control Act, 56 1/2 §701 et seq	sch 2
Indiana	sch 1	sch 2	sch 2	sch 1	sch 2
Iowa	sch 1	sch 2	sch 2	sch 1	sch 2
Kansas	sch 1	sch 2	sch 2	sch 1	sch 1
Kentucky	sch 1	sch 2	sch 2	sch 1	sch 2
Louisiana	sch 1	sch 2	sch 2	sch 1	sch 2
Maine[2]	sch W	sch W	sch W	sch W & Z	sch W
Maryland	sch 1	sch 2	sch 2	sch 1	sch 1
Massachusetts[3]	class A	class B	class B	class D	class B
Michigan	sch 1	sch 2	sch 2	sch 1	sch 2
Minnesota	sch 1	sch 2	sch 2	sch 1	sch 2
Mississippi	sch 1	sch 2	sch 2	sch 1	sch 2
Missouri	sch 1	sch 2	sch 2	sch 1	sch 2
Montana	sch 1	sch 2	sch 2	sch 1	sch 2

[1] Must have more than 15% THC (tetrahydrocannobinol), the chemical in the cannabis plant.

[2] Maine schedules its drugs under an alphabetical category: W, X, Y & Z. The schedules are similar to other state categorizations.

[3] Massachusetts calls their schedules classes, but they are the same thing.

States	Heroin	Cocaine	Crack	Marijuana	Amphetamine
Nebraska	sch 1	sch 2	sch 2	sch 1	sch 2
Nevada[4]	sch 1	sch 2	sch 2	sch 1	sch 3
New Hampshire	sch 1	sch 2	sch 2	sch 1	sch 3
New Jersey	sch 1	sch 2	sch 2	sch 1	sch 3
New Mexico	sch 1	sch 2	sch 2	sch 1 & 2	sch 2
New York	sch 1	sch 2	sch 2	sch 1	sch 2
North Carolina	sch 1	sch 2	sch 2	NC has a sixth schedule which incl. marijuana	sch 2
North Dakota	sch 1	sch 2	sch 2	sch 1	sch 2
Ohio	sch 1	sch 2	sch 2	sch 1	sch 2
Oklahoma	sch 1	sch 2	sch 2	sch 1	sch 2
Pennsylvania	sch 1	sch 2	sch 2	sch 1	sch 2
Puerto Rico	sch 1	sch 2	sch 2	sch 1	sch 3
Rhode Island	sch 1	sch 2	sch 2	sch 1	sch 2
South Carolina	sch 1	sch 2	sch 2	sch 1	sch 2
South Dakota	sch 1	sch 2	sch 2	sch 1	sch 2
Tennessee	sch 1	sch 2	sch 2	sch 2, but only for certified patients under the Controlled Substances Therapeutic Research Act	sch 2
Texas	sch 1	sch 2	sch 2	sch 1	sch 2
Utah	sch 1	sch 2	sch 2	sch 1	sch 2
Vermont	sch 1	sch 2	sch 2	sch 1	sch 3
Virginia	sch 1	sch 2	sch 2	not listed, but liquid marijuana or hashish oil is listed as sch 1	sch 2
Washington	sch 1	sch 2	sch 2	sch 1	sch 2
West Virginia	sch 1	sch 2	sch 2	sch 1	sch 2
Wisconsin	sch 1	sch 2	sch 2	sch 1	sch 2

[4] While Nevada does not specifically name drugs under its five schedules, but instead lists the specific tests to determine under which schedule a drug belongs § 453.2182 says that the state will use 21 USC as a guide for scheduling. The state merely reserves the right to reschedule any controlled substance as it sees fit according to the tests set out in 453.166, et. seq.

States	Heroin	Cocaine	Crack	Marijuana	Amphetamine
Wyoming	sch 1	sch 2	sch 2	sch 1	sch 2

Lesson 5

OFFENSE/SUBSTANCE	SENTENCE
First Offense: Cocaine - Possession With Intent To Distribute - 5 kg	• imprisonment for between 10 years and life, and • fine of $100,000 and $500,000
First Offense: Trace of Heroin - Possession of 1 kg or more of a mixture with a small, but detectable amount of heroin	• imprisonment for between 10 years and life, and • fine of $25,000 and $500,000
First Offense: Codeine - Possession - 200 mg	• imprisonment of between 4 years and life, and • fine not to exceed $20,000
Second Offense: Marijuana - Possession - 50 kg	• imprisonment for between 15 years and life, and • fine of $25,000 and $100,000
Third Offense - Methamphetamine - Possession - 100 g	• life imprisonment without parole, and • fine of between $25,000 and $200,000

Cite: 62 Okla. Stat. §2-415

Current Federal Penalties:

Group 1 and Group 2: . . . person shall be sentenced to prison which may not be less than 10 years or more than life and a fine not to exceed 4 million dollars.

Group 3: . . . person shall be sentenced to a term of imprisonment of not more than one year, a fine not exceed $250,000 in the case of an individual.

Group 4: . . . person shall be sentenced to a term of imprisonment of not more than 10 years, a fine not to exceed $500,000.

Group 5: . . . person shall be sentenced mandatory life imprisonment without release and fine not to exceed $8 million.

Cite: 21 U.S.C. § 841 (1992).

Lesson 6 & 7

1. **What does DWI stand for?**

Driving while intoxicated.

2. **What does DUI stand for?**

Driving under the influence. Under Title 47, §11-902 it is unlawful for a person to drive with a blood alcohol concentration of 0.10 or more or while under the influence of alcohol to a degree which renders such person incapable of safely driving. Under §761 it is unlawful for a person to operate a motor vehicle while his ability to operate such vehicle is impaired by the consumption of alcohol.

3. **In terms of penalties, is being convicted of DWI more serious than being convicted of DUI?**

Oklahoma law does distinguish between DUI and DWI.

4. **What are the penalties for being convicted of DWI? DUI?**

A violation of title 47, §761, driving while impaired, can result in a fine of $100-$500 and/or jail for up to six months.

Under title 47, §11-902, driving while intoxicated, a first conviction is punished by 10 days to 1 year in jail and a fine of not more than $1000. If a person has a previous conviction within 10 years, a second or subsequent conviction is a felony, the punishment being jail for 1 to 5 years and a fine of not more than $2500. The person shall be assigned to a substance abuse program in jail.

5. **What is the penalty for refusing to submit to a breathalyzer test upon a police officer's reasonable request?**

Under title 47, §751 any person who drives on the highways of Oklahoma is deemed to have given consent of breath test. The penalty for failure to take the test will result in license revocation for up to 180 days according to title 47, §753.

6. **What must a person's blood alcohol content (BAC) be before he/she is legally intoxicated?**

A person's BAC must be 0.10 to be legally intoxicated in Oklahoma.

7. **The legal limit for blood alcohol is lower for persons under the legal drinking age of 21. True or False?**

False. Oklahoma law does not provide a lower BAC for persons under 21.

8. **An open container of alcohol can be in your car if you are 21 or over. True or False?**

There is no open container law in Oklahoma. However, under §1215 it is unlawful for a person under 21 to possess intoxicating beverages.

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Lesson 9

Although the drinking age is 21 in all 50 states (meaning specifically that the sale of alcohol to minors is prohibited), the laws on teenage drinking vary from state to state. The laws vary in regard to whether they include prohibition of the purchase of alcohol, the attempt to purchase alcohol, the consumption of alcohol and the possession of alcohol. According to the March 11, 1993 Safety Recommendation report of the National Transportation Safety Board,

- Five states (DE, FL, MT, NH & NY) and the District of Columbia do not prohibit the purchase of alcohol by minors.
- West Virginia and the District of Columbia do not prohibit public possession of alcohol by minors.
- 23 states (AK, AR, DE, DC, FL, GA, RI, IL, IA, LA, ME, MD, MI, MS, MT, NV, NH, NY, SC, TX, UT, VT, VA) do not prohibit minors from attempting to purchase alcohol.
- 21 states (AR, CO, CT, FL, GA, HI, IA, KY, LA, MA, MS, MO, NE, NH, NM, NC, OR, SC, VT, WV, WY) do not prohibit alcohol consumption by minors.
- 16 states (AR, CA, CO, HI, KY, LA, ME, MI, NM, NY, NC, OK, SD, VA, WA, WY) do not prohibit minors from misrepresenting their age in order to purchase alcohol.
- 19 states (AL, AR, CO, DE, DC, IA, KS, LA, MD, MN, MT, NJ, OR, PA, SC, UT, VA, WA, WI) do not prohibit minors from presenting false ID to purchase alcohol.

In addition, most states do no prohibit minors from driving with alcohol in their blood unless their blood alcohol content reaches the adult legal limit, which is .10 percent in most states. Fifteen states, however, have amended their laws to lower for minors the permitted blood alcohol content while driving. These laws vary according to the age under which minors must be in order for the lower blood alcohol content to apply. Here is the layout for state laws on blood alcohol content for minors while driving:

0.00 BAC	0.01 BAC	0.02 BAC	0.04 BAC	0.05 BAC	0.06 BAC
AZ (<21)	NJ (<21)	ME (<21)	RI (<21)	CA (<18)	GA (<18)
NC (<19)		MD (<21)	NH (<21)	NM (<18)	
OR (<21)		OH (<18)			
UT (<21)		VT (<18)			
WI (<18)					

A number of states have tried to cut down on teenage driving accidents by implementing nighttime driving restrictions. The following states have some form of curfew for teenage driving:

ID: minors <16 can drive during the daytime only

IL: minors <17 cannot drive between 11pm-6am Mon-Thur and

12am-6am Fri-Sun
LA: minors <15 cannot drive between 11pm-6am Mon-Thur and 12am:6am Fri-Sun
MD: minors <16 cannot drive between 12am-5am
MA: minors <18 cannot drive between 1am-4am
NY: minors <18 cannot drive between 9pm-5am
PA: minors <18 cannot drive between 12am-5am
SD: minors <16 cannot drive between 8pm-6am.